

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KEVIN MASSENGALE,
Plaintiff,

v.

KERN COUNTY MUNICIPALITY,
Defendant.

Case No. 1:24-cv-00065-JLT-CDB

ORDER DIRECTING PLAINTIFF TO FILE A
NOTICE OF RELATED CASES OR SHOW
CAUSE WHY THE CASES SHOULD NOT BE
RELATED

14-DAY DEADLINE

KEVIN MASSENGALE,
Plaintiff,

v.

KENNETH R. GREEN, JR., *et al.*,
Defendants.

Case No. 1:24-cv-00066-JLT-CDB

ORDER DIRECTING PLAINTIFF TO FILE A
NOTICE OF RELATED CASES OR SHOW
CAUSE WHY THE CASES SHOULD NOT BE
RELATED

14-DAY DEADLINE

Based on the Court's preliminary examination of the above-titled actions, the Undersigned concludes they may be related under this Court's Local Rule 123(a) to the following action pending before Magistrate Judge Sheila K. Oberto: *Massengale v. Kern County Sheriff Detentional Facility*, No. 24-cv-00010-SKO. The actions have a common plaintiff (Kevin Massengale) and appear to raise claims against the same or related defendants (Kern County Municipality and Kern County Sheriff

1 Detentional Facility). Further, the actions are based on the same or similar claims, the same
2 transactions or events, similar questions of fact, and the same questions of law. *See* E.D. Cal. L. R.
3 123(a). Accordingly, the assignment of the matters to the same judge is likely to effect a substantial
4 savings of judicial effort and is also likely to be convenient for the parties.¹

5 Subsection (b) of Local Rule 123, titled “Duties of Counsel,” provides that “[c]ounsel who has
6 reason to believe that an action on file or about to be filed may be related to another action on file
7 (whether or not dismissed or otherwise terminated) shall promptly file in each action and serve on all
8 parties in each action a Notice of Related Cases.” E.D. Cal. L.R. 123(b).² Plaintiff did not file a
9 “Notice of Related Cases” in either action.

10 Plaintiff is ORDERED TO SHOW CAUSE, if any, why this action should not be related to
11 *Massengale v. Kern County Sheriff Detentional Facility*, No. 24-cv-00010-SKO. Alternatively,
12 Plaintiff shall file a “Notice of Related Cases” as required by Local Rule 123(b).

13 Accordingly, it is HEREBY ORDERED that:

14 1. By no later than 14 days of service of this Order, Plaintiff shall either:

- 15 a. file a written response to this Order showing cause why these actions should not be related to
16 *Massengale v. Kern County Sheriff Detentional Facility*, No. 24-cv-00010-SKO; or
17 b. file a “Notice of Related Cases” in all actions.

18 **Failure to timely comply with this Order will result in the imposition of sanctions up to**
19 **and including financial sanctions and dismissal of the action.**

20 IT IS SO ORDERED.

21 Dated: January 17, 2024

22 
23 UNITED STATES MAGISTRATE JUDGE

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26 ¹ Relation of actions under Local Rule 123 merely assigns them to the same district judge and
magistrate judge—it does not consolidate the cases.

27 ² “Any individual representing himself or herself without an attorney is bound by the Federal
28 Rules of Civil or Criminal Procedure, [the local rules of the Eastern District], and all other applicable
law. All obligations placed on ‘counsel’ by these Rules apply to individuals appearing in propria
persona.”